

IN THE U.S. PATENT AND TRADEMARK OFFICE July 28, 2011

Applicant(s): Anthony McCORMACK et al

: TOBACCO SMOKE FILTER

Serial No. : 10/576 659 Group: 1747

Confirmation No.: 4367

Filed : February 2, 2007 Examiner: Felton

International Application No.: PCT/GB2004/004418 International Filing Date : October 19, 2004

Atty. Docket No.: 3700.P0412US

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

> NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Sir:

Applicant hereby appeals to the Board of Appeals from the decision mailed April 28, 2011 of the Primary Examiner finally rejecting Claims 1, 27-32, 34 and 38-48.

(Please see following page.)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 3.8, 2011.

Respectfully submitted,

08/03/2011 EEKUBAY1 00000013 10576659

01 FC:1401

540.00 OP

The item(s) checked below are appropriate:

- [] A Petition and fee for extension accompany this Notice.
- [X] Appeal fee:
 - [X] \$540.00 (large entity).
 - [] \$270.00 (small entity). Small entity status is claimed, see 37 CFR 1.27.
 - [X] A check for \$540.00 is enclosed to cover fees.
- [] Please charge the Appeal Fee of \$_____ to Deposit Account 06-1382.
- [X] The Commissioner is hereby authorized to charge any additional fees required by this paper or to credit any overpayment to Deposit Account No. 06-1382.
- [X] An acknowledgement Postal Card is enclosed.

Respectfully submitted,

Terryerce F. Chapman

Sidney B. Williams, Jr. Reg. No. 24 949

TFC/ps

FLYNN, THIEL, BOUTELL	Terryence F. Chapman	Reg. No. 32 549
& TANIS, P.C.	Liane L. Churney	Reg. No. 40 694
2026 Rambling Road	Brian R. Tumm	Reg. No. 36 328
Kalamazoo, MI 49008-1631	Heon Jekal	Reg. No. 64 219
Phone: (269) 381-1156	Eugene J. Rath III	Reg. No. 42 094
Fax: (269) 381-5465	Marcus P. Dolce	Reg. No. 46 073
	Dale H. Thiel	Reg. No. 24 323
	David G. Boutell	Reg. No. 25 072

Encl: Listed Above

150.10/08